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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	77320532
Applicant	The Enkeboll Co.
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Case No.: ENKEB-858T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant:	THE ENKEBOLL CO.)	Law Office:	117
)		
Serial No.:	77/320,532)	Examining Attorney:	
)		Amos T. Matthews
Filed:	November 2, 2007)		
)		
Mark:	THE FINEST ARCHITECTURAL)		
	WOODCARVINGS IN THE WORLD)		
)		

APPELLANT'S APPEAL BRIEF ON EX PARTE APPEAL

Assistant Commissioner for Trademarks
Post Office Box 1451
Alexandria, Virginia 22313-1451

Dear Sir/Madam:

Applicant respectfully submits the following in support of registration of its mark.

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I. INTRODUCTION

Appellant has appealed to the Trademark Trial and Appeal Board from the final refusal dated June 20, 2008, for the mark “THE FINEST ARCHTECTURAL WOODCARVINGS IN THE WORLD” (“Proposed Mark”) in the above-identified trademark application. The Appellant noticed its appeal from that final rejection on November 18, 2008. The Examining Attorney has refused registration under Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1), contending that the Proposed Mark “THE FINEST ARCHTECTURAL WOODCARVINGS IN THE WORLD” describes a feature of Appellant’s services.

As set forth in the following sections of this Appeal Brief, Appellant respectfully submits that the Examining Attorney’s contention is in error and requests that this Board reverse the Examining Attorney’s refusal to register the Proposed Mark under Trademark Act Section 2(e)(1) and pass the Proposed Mark to publication.

II. RECITATION OF THE FACTS

The Appellant filed its application to register the Proposed Mark “THE FINEST ARCHITECTURAL WOODCARVINGS IN THE WORLD” on November 2, 2007 under 15 U.S.C. Section 1051(b). The application was filed in relation to goods in International Class 035, specifically, “[a]dvertising and promotional services pertaining to architectural woodcarving products.”

On February 19, 2008, the Examining Attorney rendered an Initial Office Action stating that registration of the Proposed Mark was refused under Trademark Act Section 2(e)(1), because the Proposed Mark merely describes a feature of Appellant’s services. The Examining Attorney also required a signed declaration.

Appellant filed a response to the Initial Office Action on May 6, 2008. In that communication, Appellant argued that the mark is not merely descriptive for the identified services. In addition, Appellant submitted a signed declaration, as requested by the Examining Attorney.

The Examining Attorney mailed a second Office Action to Appellant on June 20, 2008 maintaining the refusal to register the Proposed Mark under Trademark Act Section 2(e)(1) and made such refusal final.

In response to the second Office Action, Appellant filed a Notice of Appeal on November 18, 2008, and accordingly, the present Brief herein is timely filed. For the reasons detailed below and for the reasons set forth in Appellant's responses to the previous Office Actions, Appellant submits that the Proposed Mark is entitled to registration.

III. LEGAL STANDARDS FOR DETERMINING DESCRIPTIVENESS

In a refusal to register a mark based on alleged descriptiveness, the United States Patent and Trademark Office bears the burden of establishing a prima facie showing of mere descriptiveness within the meaning of 15 U.S.C. Section 1052(e)(1).¹ Furthermore, case law has consistently required that such prima facie showing must establish that the mark, as a whole, is merely descriptive of the goods or services recited in the pending application, and that it is not sufficient to simply establish that certain words or portions of the mark may have some independent descriptive meaning in themselves. *Q-Tips v. Johnson & Johnson*, 206 F.2d 144, 98 U.S.P.Q. 86 (3d Cir. 1953), *cert. denied*, 346 U.S. 867 (1953); *In re Siebert & Sons, Inc.*, 165

¹ In this regard, in order to be "merely" descriptive under 15 U.S.C. § 1052(e)(1), the mark must immediately tell the average prospective purchaser only what the goods or services are. *In re Disc Jockeys, Inc.*, 23 U.S.P.Q.2d 1715 (T.T.A.B. 1992). Doubts concerning the descriptiveness of a mark are to be resolved in favor of the applicant during ex parte prosecution. *In re Micro Instrument Corp.*, 222 U.S.P.Q. 252, 255 (T.T.A.B. 1984).

U.S.P.Q. 400 (T.T.A.B. 1970); *see generally*, McCarthy, J.T., *Trademarks and Unfair Competition*, § 11:27 at page 11-69 (4th ed., Thompson/West 2007). Indeed, unless a mark is 100 percent descriptive, the mark as a whole is not "merely" descriptive. McCarthy, J.T., *Trademarks and Unfair Competition*, § 11:26 at page 11-68 (4th ed., Thompson/West 2007) (citing *In re Richardson Inc. Co.*, 511 F.2d 559, 185 U.S.P.Q. 46 (C.C.P.A. 1975)).

In order for a mark to be deemed merely descriptive under Trademark Act Section 2(e), the mark must "*immediately convey. . . knowledge of the ingredients, quality, or characteristics of goods . . . with which it is used.*" *See In re Gyulay*, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1987). However, where "*imagination, thought, or perception is required to reach a conclusion on the nature of the [services],*" a mark will not be determined to be merely descriptive of the goods or services. *In re Kwik-Print Copy Shop, Inc.*, 616 F.2d 523, 525, 205 U.S.P.Q. 505, 507 (C.C.P.A. 1980).

A mark must be evaluated for descriptiveness in relation to the identified goods or services, and not in the abstract. A mark can suggest the type of goods or services offered without being labeled "*merely descriptive*". *See In re DC Comics, Inc.*, 689 F.2d 1042, 1044, 215 U.S.P.Q. 394, 396 (C.C.P.A. 1982) (a descriptive term "*conveys to one who is unfamiliar with the product its functions or qualities*"); *In re Seats, Inc.*, 225 U.S.P.Q. 364 (Fed. Cir. 1985) (the mark SEATS for ticket reservation and issuing services for various events by means of a computer is not merely descriptive of the applicant's services, even though such services involve purchasing a ticket for a seat at various events); *Equine Technologies, Inc. v. Equitechnology, Inc.*, 36 U.S.P.Q.2d 1659 (1st Cir. 1995) (mark EQUINE TECHNOLOGIES is suggestive of hoof pads for horses, and is not merely descriptive, even though "U" in the shape of a horseshoe might suggest hooves or horseshoes to perceptive customers, but such mark does not convey information about the plaintiff's product or its intended customers and requires imagination to

connect plaintiff's term to hoof care products and hoof pads for horses); *Hunting Hall of Fame Foundation v. Safari Club International*, 6 U.S.P.Q.2d 1765, 1770 (D. Ariz. 1987) (even if a mark suggests the type of goods involved, it is nonetheless registrable if consumers will view the mark as referring to the company and not the goods; it is a consumer's reaction to the mark at the time in question that is the test).

Where a mark does not immediately convey the purpose, functions or characteristics of the specified goods or services, that mark cannot be deemed merely descriptive under the Trademark Act. *See In re Hutchinson Technology, Inc.*, 7 U.S.P.Q.2d 1490 (Fed. Cir. 1988) (conclusion that the term "technology" in the proposed mark HUTCHINSON TECHNOLOGY is merely descriptive of the appellant's electronic and mechanical components for computers was clearly erroneous because the term "technology" is a broad term encompassing many categories of goods and services, and thus does not immediately convey an idea of the ingredients, qualities or characteristics of applicant's goods to support a finding that the term is merely descriptive); *Physicians Formula Cosmetics Inc. v. West Cabot Cosmetics Inc.*, 3 U.S.P.Q.2d 1344 (E.D.N.Y. 1987), *rev'd on other grounds*, 8 U.S.P.Q.2d 1136 (2d Cir. 1988) (PHYSICIANS FORMULA mark is merely suggestive when applied to cosmetics and skin care products, even though it may be merely descriptive when applied to products such as cough syrup or aspirin); *W.W.W. Pharmaceutical Co. Inc. v. The Gillette Co.*, 25 U.S.P.Q.2d 1593 (2d Cir. 1992) (the mark SPORTSTICK for lip balm is suggestive of the plaintiff's products despite the presence of two ordinary words "sport" and "stick"; "*the consolidation of 'sport' and 'stick' in a single word suggests both the product's form and usage, but requires some imagination to surmise the nature of the product. This is the essence of a suggestive mark.*"); *Bose Corp. v. Int'l Jensen, Inc.*, 963 F.2d 1517, 22 U.S.P.Q.2d 1704 (Fed. Cir. 1992) (ACOUSTIC RESEARCH not merely descriptive for speakers and turntables). Any doubt as to whether a

mark is merely descriptive or suggestive must be resolved in favor of the trademark applicant by allowing publication of the mark for opposition. *See In re Morton-Norwich Products, Inc.*, 209 U.S.P.Q. 791 (T.T.A.B. 1981); *In re Gourmet Bakers, Inc.*, 173 U.S.P.Q. 565 (T.T.A.B. 1972).

Where there are numerous definitions or interpretations possible for a given term, this precludes a finding that such term can be merely descriptive under the Trademark Act. *See Henry Siegel Co. v. M & R International Mfg. Co.*, 4 U.S.P.Q.2d 1154 (T.T.A.B. 1987) (finding that the mark CHIC for women's jeans projects a double meaning and is not merely descriptive); *In re Colonial Stores, Inc.*, 157 U.S.P.Q. 382 (C.C.P.A. 1968) (finding that the mark SUGAR & SPICE, as a combination mark, would evoke the nursery rhyme to one familiar with such phrase, and the dual association with "everything nice" prevented the mark from being merely descriptive); *In re National Tea Co.*, 144 U.S.P.Q. 286 (T.T.A.B. 1965) (finding that the mark NO BONES ABOUT IT for fresh pre-cooked ham had more than one meaning and was not merely descriptive); *In re Grand Metropolitan Foodservice, Inc.*, 30 U.S.P.Q.2d 1974 (T.T.A.B. 1994) (finding that the mark MufFuns was not merely descriptive of the applicant's mini-muffins since the mark projected a dual meaning or suggestiveness).

Moreover, as stated by the Trademark Trial and Appeal Board in the case of *In re Siebert & Sons, Inc.*, 165 U.S.P.Q. 400 (T.T.A.B. 1970), "...the mere combination of words or terms which might be descriptive in and of themselves, does not necessarily render the combination thereof 'merely descriptive.' "

To function as a service mark, a designation must be used in a manner that would be perceived by purchasers as identifying and distinguishing the source of the services recited in the application. T.M.E.P. § 1301.02(a).

IV. APPELLANT'S MARK IS NOT MERELY DESCRIPTIVE OF APPELLANT'S SERVICES

As set forth below, Appellant's Proposed Mark cannot be deemed merely descriptive because the term THE FINEST ARCHTECTORAL WOODCARVINGS IN THE WORLD does not describe the services in question, i.e., advertising and promotional services pertaining to architectural woodcarving products, with particularity. Consumers and potential consumers of Appellant's services are not likely to divine any qualities or characteristics of Appellant's services upon encountering Appellant's mark, THE FINEST ARCHTECTORAL WOODCARVINGS IN THE WORLD. Thus, Appellant's mark is entitled to registration.

A. APPELLANT'S MARK DOES NOT IMMEDIATELY CONVEY KNOWLEDGE OF ADVERTISING AND PROMOTIONAL SERVICES

Appellant submits that the mark is not merely descriptive because the Proposed Mark does not include language which describes the related advertising and promotional services with particularity. Instead, the Proposed Mark simply refers to woodcarvings. Therefore, imagination, thought, or perception is required to reach a conclusion as to the nature of Appellant's services.

In order for a mark to be merely descriptive, the mark, when viewed in its entirety, must immediately convey "*knowledge of the ingredients, quality, or characteristics of [services]. . . with which it is used.*" See *In re Gyulay*, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1987). In other words, the mark must describe Appellant's services with particularity in order to be merely descriptive. *In re The House Store Ltd.*, 221 U.S.P.Q. 92, 93 (T.T.A.B. 1983); *In re TMS Corporation of the Americas*, 200 U.S.P.Q. 57, 58 (T.T.A.B. 1978). In *House Store*, the Examining Attorney's refusal to register the mark "The House Store" for retail store services in the field of furniture

and housewares was reversed. The Board reasoned that the mark was “*too broad to describe such services with immediacy and particularity and, consequently, should be viewed as suggestive rather than impermissably descriptive.*” *House Store*, 221 U.S.P.Q. at 93.

Appellant submits that Proposed Mark is similar to the mark in *House Store* because the Proposed Mark does not describe the related services with immediacy and particularity. The mark “The House Store” was found to be suggestive and not merely descriptive because the mark does not particularly describe retail store services. Indeed, there is no reference to retail store services in the mark “The House Store.” Similarly, Appellant submits that the mark THE FINEST ARCHITECTURAL WOODCARVINGS IN THE WORLD does not particularly describe advertising and promotional services. Upon encountering the Proposed Mark, a potential consumer would not be immediately informed of the nature of the related services. Therefore, the consumer would require a certain degree of imagination, thought or perception in order to arrive at the related services upon encountering the Proposed Mark, which is indicative of a suggestive mark.

Appellant submits that it is important to distinguish between the woodcarvings mentioned in the mark, and Appellant’s advertising and promotional services. Appellant is not seeking registration of the Proposed Mark for woodcarvings. Rather, Appellant is seeking registration of the Proposed Mark for advertising and promotional services, which is not explicitly mentioned in the mark. Thus, as mentioned above, the Proposed Mark does not immediately describe the related services with particularity. Accordingly, Appellant asserts that the Proposed Mark is not merely descriptive.

B. APPELLANT'S MARK IS NOT LAUDATORY OF THE RELATED SERVICES

In the Office Actions of February 19, 2008 and June 20, 2008 the Examining Attorney alleges that the Proposed Mark is laudatory descriptive. In support of this allegation, the Examining Attorney refers to attachments of United States trademark registrations having similar laudatory wording. In particular, the marks that are the subject of the cited registrations include the word "highest" in the marks. The Examining Attorney indicates that the registrations attached to the Office Actions were either registered on the Supplemental Register or included a disclaimer of the alleged laudatory language. Therefore, the Examining Attorney suggests that since the Proposed Mark includes similar language, it is laudatory descriptive and not entitled to registration on the Principle Register.

However, Appellant submits that the Proposed Mark is distinguishable from the marks in the cited registrations because the alleged laudatory language in the Proposed Mark is not made in reference to the related services. With regard to the Proposed Mark, the allegedly laudatory term "finest" does not refer to the related services. Rather, "finest" is made in reference to architectural woodcarvings (not advertising and promotional services).

In contrast, the marks that are the subject of the cited registrations include laudatory language referring directly to the related goods or services. For instance, the Examining Attorney cited: U.S. Registration Number 1,615,913 for the mark THE FINEST ICE CREAM IN THE WORLD, for ice cream; U.S. Registration Number 1,959,612 for the mark WORLD'S FINEST BEDDING SINCE 1870, for mattresses and box springs; U.S. Registration Number 2,240,052 for the mark THE WORLD'S FINEST APPLES, for fresh apples; and U.S. Registration Number 2,116,219 for the mark THE FINEST BERRIES IN THE WORLD, for fresh strawberries, raspberries, blueberries and blackberries. In each case, the word "finest" is laudatory of the related goods. The Examining Attorney also cites a registration including

laudatory language in relation to services; namely, U.S. Registration No. 2,274,713 for MITCHELL'S WORLD'S FINEST NEWSPAPER DELIVERY SERVICE for storage, handling, transportation and delivery of newspapers, periodicals, books and printed matter.

In the foregoing examples, the marks include laudatory language (i.e. "finest") as well as language describing or naming the related goods or services (i.e., "ice cream," "bedding," "apples," "berries," and "newspaper delivery services"). In each instance, the laudatory language is made in reference to the related goods or services. For instance, in the mark THE FINEST ICE CREAM IN THE WORLD, the word "finest" refers to "ice cream" (the related goods). Furthermore, in the mark MITCHELL'S WORLD'S FINEST NEWSPAPER DELIVERY SERVICE, the laudatory phrase "world's finest" refers to the "newspaper delivery service" (the related services).

Conversely, the Proposed Mark, THE FINEST ARCHITECTURAL WOODCARVINGS IN THE WORLD, does not include laudatory language referring to the related services (i.e., advertising and promotional services). In fact, the related services are not explicitly mentioned in the mark. Rather, the allegedly laudatory language (i.e., "finest") refers to "architectural woodcarvings," not "advertising and promotional services." The mark is not "the finest advertising and promotional services in the world," which would be more laudatory of the related services. In this manner, Appellant submits that the allegedly laudatory language is not laudatory of the related services.

C. APPELLANT'S MARK DOES NOT INCLUDE LAUDATORY LANGUAGE

Appellant alternatively argues that the language included in the Proposed Mark does not have a laudatory connotation in relation to the related services. The T.M.E.P. states that laudatory terms include "*those that attribute quality or excellence to goods or services.*"

T.M.E.P. § 1209.03(k). Therefore, in order to have a laudatory connotation, the Proposed Mark must include language attributing quality and excellence to Appellant's advertising and promotional services.

In the Office Action of February 19, 2008, the Examining Attorney suggests that the word "finest," as used in the Proposed Mark, means "surpassing in quality." However, Appellant submits "finest" does not have such a connotation as used in the Proposed Mark. As described above, "finest" is made in reference to "architectural woodcarvings." Accordingly, as used in the context of architectural woodcarvings, Appellant submits that "finest" means "delicately fashioned," as defined on www.dictionary.com, a printout of which is hereto as Exhibit A.

It is well-known that woodcarvings require significant time and precision in order to sculpt or carve the piece of wood into an aesthetically desired shape or design. Accordingly, the woodcarvings are "delicately fashioned" in order to achieve the intended result. Therefore, the word "finest" in the Proposed Mark does not attribute excellence to the related services. Instead, "finest" is a suggestive reference to the woodcarvings, which are the subject of the advertising and promotional services. Where there are numerous definitions or interpretations possible for a given term, it is unlikely that such term can be merely descriptive under the Trademark Act. *See Henry Siegel Co. v. M & R International Mfg. Co.*, 4 U.S.P.Q.2d 1154 (T.T.A.B. 1987). At the very least there is doubt as to the meaning of the word "finest," which must be resolved in Appellant's favor. *In re Mobile Ray Inc.*, 224 U.S.P.Q. 247, 248 (T.T.A.B. 1984).

D. APPELLANT'S MARK IS SUGGESTIVE

Since the Proposed Mark does not immediately describe the associated services with particularity, or include laudatory language, Appellant submits that the Proposed Mark is

suggestive of the associated services. In order to be suggestive, a trademark as applied to the goods or services must require imagination, thought, or perception to reach a conclusion as to the nature thereof. “*While a descriptive term directly and clearly conveys information about the ingredients, qualities or characteristics of the product or services, the ‘suggestive’ term only indirectly suggests these things.*” McCarthy, J.T., *Trademarks and Unfair Competition*, § 11:67 at page 11-145 (4th ed., Thompson/West 2007) (citing *Educational Dev. Corp. v. Economy Co.*, 562 F.2d 26, 195 U.S.P.Q. 482 (10th Cir. 1977); *Astra Pharmaceutical Products, Inc. v. Pharmaton, S.A.*, 345 F.2d 189, 145 U.S.P.Q. 461 (C.C.P.A. 1965) ; *Railroad Salvage of Conn., Inc. v. Railroad Salvage, Inc.*, 561 F. Supp. 1014, 219 U.S.P.Q. 167 (D.R.I. 1983).

Given that the Proposed Mark does not immediately describe the associated services with particularity, Appellant asserts that imagination, thought, or perception is required to reach a conclusion as to the nature of Appellant’s services upon encountering the THE FINEST ARCHTECTURAL WOODCARVINGS IN THE WORLD mark. Therefore, Appellant submits that the Proposed Mark is suggestive.

Suggestiveness is not a bar to registration. It is widely accepted that a minor degree of descriptiveness does not destroy the suggestive, or trademark, significance of a mark. In fact, a mark must have a “shade” of descriptive meaning in order to even be suggestive. *Q-Tips, Inc. v. Johnson & Johnson*, 206 F.2d 144, 146, 98 U.S.P.Q. 86, 87 (3d Cir. 1953), *cert. denied*, 346 U.S. 867 (1953). This principal holds true for Appellant’s mark, which may possess a modicum of descriptiveness, but which ultimately leads the consumer to its suggestive meaning.

E. ANY DOUBT MUST BE RESOLVED IN APPELLANT’S FAVOR

In addition to the foregoing, any doubt as to whether the present mark is merely descriptive must be resolved in Appellant’s favor according to controlling case law authority. *In*

re The Rank Organization Ltd., 222 U.S.P.Q. 324, 326 (T.T.A.B. 1984). *In re The Nobele Company*, 225 U.S.P.Q. 749, 750 (T.T.A.B. 1980) ([I]f there was any doubt about whether the term ... is merely descriptive ... that doubt should be resolved in favor of the Applicant); *In re Mobile Ray Inc.*, 224 U.S.P.Q. 247, 248 (T.T.A.B. 1984) (“[W]hen there is doubt in the matter, the doubt should be resolved in Applicant’s behalf and the mark should be published for opposition”).

V. CONCLUSION

Appellant respectfully submits that the Proposed Mark is not merely descriptive. As such, the Examining Attorney’s refusal to register the Proposed Mark is inappropriate and cannot be sustained. Appellant hereby appeals to the Trademark Trial and Appeal Board from the final decision dated June 20, 2008, refusing registration of the Proposed Mark. Therefore, Appellant respectfully requests that the mark be passed to publication.

The Assistant Commissioner for Trademarks is hereby authorized to charge payment of any additional fees required or credit any overpayment of the same to Deposit Account No. 19-4330.

Respectfully submitted,

Date:

12/8/08

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EXHIBIT A



- Dictionary
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finest

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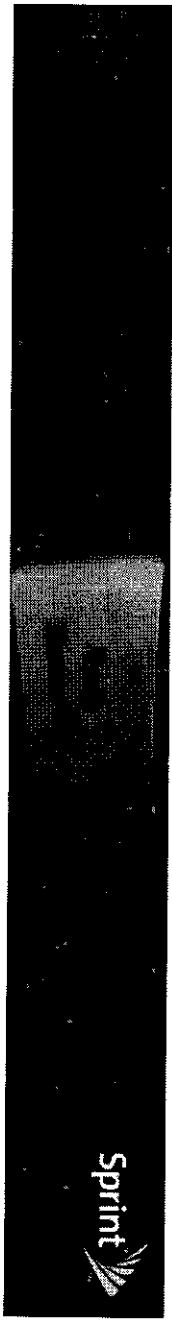
Synonyms

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- finest herbes
- Finespun
- Finesse
- finessed
- finessing
- finest**
- Finestill
- Finestiller
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fin·est

 **[fahy-nist]** Show IPA Pronunciation 

–noun (used with a plural verb) *Informal.*
the police: *New York City's finest.*

Origin:

1925–30, *Americanism*

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fine¹

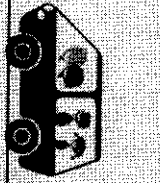
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adjective, fin·er, fin·est, adverb, verb, fined, fin·ing, noun –adjective

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1. of superior or best quality; of high or highest grade: *fine wine*.
 2. choice, excellent, or admirable: *a fine painting*.
 3. consisting of minute particles: *fine sand; a fine purée*.
 4. very thin or slender: *fine thread*.
 5. keen or sharp, as a tool: *Is the knife fine enough to carve well?*
 6. delicate in texture; filmy: *fine cotton fabric*.
 7. delicately fashioned: *fine tracery*.
 8. highly skilled or accomplished: *a fine musician*.
 9. trained to the maximum degree, as an athlete.
 10. characterized by or affecting refinement or elegance: *a fine lady*.
 11. polished or refined: *fine manners*.
 12. affectedly ornate or elegant: *A style so fine repels the average reader*.
 13. delicate or subtle: *a fine distinction*.
 14. bright and clear: *a fine day; fine skin*.
 15. healthy; well: *In spite of his recent illness, he looks fine*.
 16. showy or smart; elegant in appearance: *a bird of fine plumage*.
 17. good-looking or handsome: *a fine young man*.
 18. (of a precious metal or its alloy) free from impurities or containing a large amount of pure metal: *fine gold; Sterling silver is 92.5 percent fine*.
- adverb**
19. *Informal*. in an excellent manner; very well: *He did fine on the exams. She sings fine*.
 20. very small: *She writes so fine I can hardly read it*.
 21. *Billiards, Pool*. in such a way that the driven ball barely touches the object ball in passing.
 22. *Nautical*. as close as possible to the wind: *sailing fine*.
- verb (used without object)**
23. to become fine or finer, as by refining.
 24. to become less, as in size or proportions; reduce; diminish (often fol. by *down*): *The plumpness fines down with exercise*.
- verb (used with object)**
25. to make fine or finer, esp. by refining or pulverizing.
 26. to reduce the size or proportions of (often used with *down* or *away*): *to fine down the heavy features; to fine away superfluous matter in a design*.
 27. to clarify (wines or spirits) by filtration.



—noun

28. *fines*,

a. *Mining.* crushed ore sufficiently fine to pass through a given screen. Compare SHORT (def. 29a).

b. *Agriculture.* the fine bits of corn kernel knocked off during handling of the grain.

—Idiom

29. *cut fine*, to calculate precisely, esp. without allowing for possible error or accident: *To finish in ten minutes is to cut it too fine.*

Origin:

1250–1300; ME *fin* < AF, OF < L *finis* end, utmost limit, highest point

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fine ¹  **HEAR** (fin) **Pronunciation Key**

adj. **fin-er, fin-est**

1. Of superior quality, skill, or appearance: *a fine day; a fine writer.*
2. Very small in size, weight, or thickness: *fine type; fine paper.*
 - a. Free from impurities.
 - b. *Metallurgy* Containing pure metal in a specified proportion or amount: *gold 21 carats fine.*
 - c. Subtle or precise: *a fine difference.*
 - d. Able to make or detect effects of great subtlety or precision; sensitive: *has a fine eye for color.*
4. Very sharp; keen: *a blade with a fine edge.*
5. Thin; slender: *fine hairs.*
6. Exhibiting careful and delicate artistry: *fine china.* See Synonyms at delicate.
7. Consisting of very small particles; not coarse: *fine dust.*
 - a. Subtle or precise: *a fine difference.*
 - b. Able to make or detect effects of great subtlety or precision; sensitive: *has a fine eye for color.*
9. Trained to the highest degree of physical efficiency: *a fine racehorse.*
10. Characterized by refinement or elegance.
11. Satisfactory; acceptable: *Handing in your paper on Monday is fine.*
12. Being in a state of satisfactory health; quite well: *I'm fine. And you?*
13. Used as an intensive: *a fine mess.*

adv.

1. Finely.
2. *Informal* Very well: *doing fine.*

tr. & intr.v. **fined, fin-ing, fines**

To make or become finer, purer, or cleaner.

[Middle English *fin*, from Old French, from Latin *finis*, *end, supreme degree*.]
fine'ness *n.*

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